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7 Attorneys for Debtor in Possession

8 **UNITED STATES BANKRUPTCY COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **NORTHERN DIVISION**

11 *In re*) Case No.: 9:20-bk-11486-DS
12 SANTA MARIA BREWING CO INC.,) Chapter 11
13)
14) **DECLARATION OF BYRON MOLES RE**
15) **CURRENT OPERATIONS**
16)
17) Debtor and) Date: April 14, 2021
18) Debtor in Possession) Time: 11:30 a.m.
19)) Courtroom 201
20)
21)
22)
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28)

1 I, Byron Moles, hereby declare as follows:

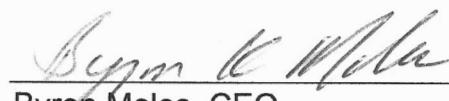
2 1. I am over 18 years of age. I am the CEO of the Santa Maria Brewing Co Inc.,
3 the Debtor and Debtor-in-Possession (the “**Debtor**”) in the above-captioned bankruptcy
4 cases. Unless otherwise stated, I have personal knowledge or information of the facts set
5 forth herein and, if called as a witness, could and would testify competently thereto.

6 2. At the last status conference on February 3, 2021, counsel for the Debtor
7 mistakenly stated that the Debtor is only operating its restaurant/food service outdoors
8 and for pick up. Immediately following the hearing, I let the Debtor’s counsel know that
9 she had misunderstood our previous conversations and that in fact the Debtor is also
10 serving customers indoors. Counsel then immediately informed the Office of the United
11 States Trustee.

12 3. The Debtor adheres to strict COVID-19 sanitation and health code
13 requirements and regulations, including but not limited to the wearing of face masks and
14 sanitizing tables and menus after every use. Further, the Debtor has passed all
15 inspections by the health department and Alcoholic Beverage Control (“**ABC**”), except for
16 the issue of serving indoors. Although the health department and Alcoholic Beverage
17 Control have cautioned the Debtor that indoor dining is not yet permitted, based on
18 conversations with the ABC and the health department, the Debtor does not believe there
19 is any threat of enforcement that would impact operations. The Debtor is one of over 60
20 restaurants in the area that is engaging in indoor dining without issue. We also believe
21 that indoor dining will be permitted once again before the next status conference.

22 I declare under penalty of perjury under the laws of the United States of America
23 that the foregoing is true and correct.

24 Executed on this 11 day of February 2021 at Atascadero, CA.

25 
26

27 **Byron Moles, CEO**

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
506 Santa Monica Blvd., Suite 200, Santa Monica, CA 90401

A true and correct copy of the foregoing document entitled (specify): **DECLARATION OF BYRON MOLES RE CURRENT OPERATIONS** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 2/11/21, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Hagop T Bedoyan hagop.bedoyan@mccormickbarstow.com, terry.douty@mccormickbarstow.com
Leslie A Cohen leslie@lesliecohenlaw.com, jaime@lesliecohenlaw.com;olivia@lesliecohenlaw.com
Jamie P Dreher jdreher@downeybrand.com, mfrazier@downeybrand.com;courtfilings@downeybrand.com
Lori L Enrico lori@giannettaenrico.com, melanie@giannettaenrico.com
Brian D Fittipaldi brian.fittipaldi@usdoj.gov
United States Trustee (ND) ustpregion16.nd.ecf@usdoj.gov
Larry D Webb Webblaw@gmail.com, larry@webblaw.onmicrosoft.com

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 2/11/21, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) , I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2/11/21
Date

Olivia Hill
Printed Name

/s/ Olivia Hill
Signature